

REMARKS

Claims 1, 3-6 and 8-11 and 13-15 are pending in the application. Claims 1, 3, 11 and 13 have been amended and claims 2, 7 and 12 have been canceled by the foregoing amendment. Claims 16-20 have been previously withdrawn from consideration. No new matter has been added as a result of the foregoing amendment.

Claims 1 and 11 stand rejected under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 3,088,545 ("Meyers"); claims 1-4 and 11-13 stand rejected as being clearly anticipated by U.S. Patent No. 4,073,382 ("Fahey") and claims 1-7 and 11-15 stand rejected as clearly being anticipated by U.S. Patent No. 4,97,855 ("Moore").

Exemplary embodiments disclose, as recited in amended claim 1 for example, an ascension/descension apparatus comprising a track connected to a vertical surface; a portable platform portion *detachably connectable* to the track such that the portable platform portion can move upwardly and downwardly along the track; and a chain system connected to the track for raising and lowering the portable platform portion.

Claims 1 and 11 have been amended to incorporate the language of claims 2 and 12 respectively. Therefore, Meyers is no longer applicable.

Both Fahey and Moore fail to disclose a portable platform that is *detachably connectable* to a track. Fahey discloses an elevator that is (permanently) attached to a steel racking apparatus. Moore discloses a cab mounted on an exterior (an external elevator) of a high rise building. The cab of Moore is also permanently attached.

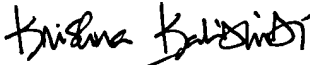
As Fahey and Moore both fail to disclose a portable platform that is *detachably connectable* to a track, amended claim 1 is not anticipated by either Fahey or Moore. At least for these reasons, it is believe that claim 1 is allowable. Claim 11, as amended, is similarly

allowable. Claims 3-6 and 13-15, all of which depend on one of allowable claims 1 and 11 are also allowable.

Claims 8-10 have not been rejected. Accordingly, it is believed that claims 8-10 have been allowed.

All of the rejections and objections having been overcome, it is believed this application is in condition for allowance and a prompt notice to that effect is respectfully requested. Should the Examiner have any questions with respect to expediting the prosecution of this application, he is strongly urged to contact the undersigned at the number listed below.

Respectfully submitted,
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